

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

IN THE MATTER OF:

CASE NO. 22-60004 (cml)

DAVID MICHAEL MOBLEY

DEBTOR

CHAPTER 11

SECOND NOTICE OF PLAN DEFAULT

NOW COMES The County of Wharton, Texas, hereinafter “Wharton”, and gives this written notice to the Reorganized Debtor and the Reorganized Debtor’s counsel of default under the terms of David Michael Mobley’s confirmed Amended Plan of Reorganization, hereinafter “the Plan”.

1. The confirmation order was entered on 03/20/2024 (Docket No. 265).
2. The confirmation order became final on 04/03/2024, fourteen (14) days following entry.
3. The Effective Date, defined in Article 1, Definition 1.01.24 of the Plan, occurred on 05/01/2024, the first day of the calendar month after entry of the Confirmation Order.
4. Pursuant to Article 4, Section 4.03 of the Plan, the Reorganized Debtor is to pay Wharton’s *ad valorem* tax Claim #1 in the amount of \$84,453.73 and Claim #39 in the amount of \$46,001.06, plus applicable interest, in equal monthly payments of \$5,085.00 beginning March 1, 2024. Payments are to be made payable to Wharton County Tax Assessor-Collector and remitted to the undersigned.
5. The undersigned has not received Reorganized Debtor’s December 1, 2024 or January 1, 2025 payment on Wharton’s claims. The amount required to cure the default is \$10,170.00.

6. Pursuant to Article 4, Section 4.03 of the Plan, Wharton hereby notifies the Reorganized Debtor that he has twenty-one (21) days from the date this Notice is filed and emailed to his counsel of record, or until 2/4/2025, to cure the default. If the Reorganized Debtor fails to fully cure the noticed default within said twenty-one (21) days, Wharton County may, without further order of this Court or notice to the Reorganized Debtor, pursue all available rights and remedies available under the Texas Property Tax Code to collect the full amount of all taxes, penalties and interest owed on the defaulted account(s).

7. Wharton is today serving counsel of record with the Second Notice of Plan Default both by email from the undersigned and via the Court's CM/ECF Filing System and mailing same to the Reorganized Debtor at his address of record.

Dated: January 14, 2025

Respectfully submitted,

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/s/ Julie Anne Parsons
Julie Anne Parsons
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**ATTORNEYS FOR
THE COUNTY OF WHARTON, TEXAS**

CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2025, I served the Reorganized Debtor with a true and correct copy of this Notice by First Class U.S. Mail at the address below and that Debtor's counsel, the U.S. Trustee, and all other parties consenting to electronic notice in this case were electronically served through the CM/ECF system. I also directly emailed this Notice to Debtor's Counsel.

Reorganized Debtor - First Class U.S. Mail

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